

- (vi) Official Index of Rejected and Invalid Specific Names in Zoology
- (vii) Official List of Works Approved as Available for Zoological Nomenclature
- (viii) Official Index of Rejected and Invalid Works in Zoological Nomenclature

Section 14. Emergency Powers.

If, as a result of an emergency, the Congress is prevented from holding its normal periodical meeting, the Commission, or the Council, or failing this, the President, may assume and exercise such extraordinary powers as it or he may consider necessary to secure the continued existence of the Commission, provided :

- (i) that the powers assumed shall not include power to vary the Code or power by the Council or the President to render Declarations or Opinions on behalf of the Commission.
- (ii) that, at the first meeting of the Congress after the end of such emergency, the Commission shall submit a report to the Congress regarding the extraordinary powers assumed during the emergency and the action taken thereunder.

Section 15. By-Laws.

The Commission is empowered to adopt a set of By-Laws governing those of its regulations and activities not covered by the Constitution. The Commission has the authority to modify these By-Laws by majority vote as the occasion demands. These By-Laws will deal with such matters as the duties of the officers, the methods by which nominations are to be obtained for vacancies on the Commission, the relations between the Commission and the Secretariat, with regulations concerning the processing of applications and the adoption of time schedules and priorities, and with other business matters of the Commission.

COMMENTS ON THE DRAFT CONSTITUTION

(i) By Dr. L. B. Holthuis

I am quite shocked to find in the Constitution that neither in the paragraph dealing with the qualifications of the Commissioners (Section 2(b)) nor in the next paragraph or its first three subparagraphs the word nomenclature is at all mentioned. This gives the impression that a Commissioner does not need to know anything about nomenclature nor to be interested in it. As it reads now the Constitution makes the Commission a representative body of zoologists regardless of their interest in nomenclature. Against this I wish to raise my strong protest. The Commission, as I see it, must in the first place be a group of specialists in nomenclature, which can advise other zoologists on the intricacies of nomenclatural problems. Each problem laid before the Commission should be examined by the Commissioners on its nomenclatural merits. As a rule it will be impossible for the Commissioners to evaluate the taxonomic side of the problem, but this is not necessary since for this side they can obtain the help of other zoologists, namely by directly soliciting the advice of specialists, or by receiving the reactions of zoologists to the applications published in the

"Bulletin". The Commissioners in deciding a certain case can always rely on others for help in solving the taxonomic side of problems placed before them, but the know-how on nomenclatural matters has to be furnished entirely by the Commissioners themselves. It is essential therefore, as I said above, that the Commissioners are above all specialists in nomenclature. Therefore I suggest the following rewording of Section 2(b) of the Constitution :

"The Commissioners shall be eminent scientists with a distinguished record in any branch of zoology, who are known to have a profound knowledge of or interest in zoological nomenclature, irrespective of nationality."

I agree that it is useful to have specialists of various groups, zoologists of different parts of the world, etc. in the Commission and therefore do not want to make any change in Section 2(c) of the Code if the proposed change in Section 2(b) is made.

Section 4(a). I am against the proposal to let the Section on Nomenclature elect the Commissioners during the Congresses. The Section is not the proper body for this as its membership is neither fixed nor well circumscribed and may vary at each session. The outcome of the vote in the Section can be forced by an evil-willing member who gets enough participants of the Congress (who otherwise would not attend the Section meetings, being not interested in the subject) to the meeting of the Section in which the vote is taken, and so swing the vote in the way this member wants it. Since during the Inter-Congress periods it is the Commission itself which votes on the admission of new members, I do not see why this procedure during the Congress itself should be radically changed.

The proposal for the election of Commissioners by the Section was evidently made in order to make it possible for zoologists other than members of the Commission to have some influence on the formation of the Commission. I certainly can appreciate this idea and therefore suggest that any zoologist or group of zoologists be given the opportunity to suggest to the Commission the names of persons whom they think would make suitable candidates for vacancies in the Commission. This could well be done if, as suggested in the Constitution the vacancies in the Commission are published in the "Bulletin". The Council's nomination of candidates for the vacancies should not begin till six months after the publication of the vacancy so that there be ample time to have suggestions sent in. Also the vacancies occurring by the end of the regular term of the Commissioners should be announced at least six months before the Congress at which those terms end.

I propose therefore to change the number of Section 4(c) to 4(d) and to replace Section 4(a) and 4(b) by the following paragraphs :

"(a) When a vacancy occurs or will occur in the Commission the fact shall be announced in the 'Bulletin', if possible at least six months before the start of the next Congress. Such vacancies shall be filled by vote of the Commission on nomination by the Council.

"(b) The nomination by the Council shall take place not earlier than six months after the publication of the vacancy in the 'Bulletin'. Every interested organisation or person has the right during these six months to send suggestions for the filling of the vacancies to the Secretary of the

Commission ; these suggestions are to be carefully considered by the Council before the nomination.

"(c) In order to ensure adequate rotation the Council shall endeavour to nominate at least two candidates for every vacancy. From among these the Commission shall select the required number of Commissioners by paper ballot."

(ii) AN OPEN LETTER TO THE BY-LAWS COMMITTEE*

Gentlemen :

The Commission stands highly grateful to you for the thought and labour that you have devoted to the preparation of the draft constitution which has already been laid before the Commission and which is now being published for the information of the zoological public and to elicit their constructive suggestions.

The decision not to publish this draft as an adjunct of the Code suggests that certain matters already included in Chapter XVII of that instrument might well also be entered in the constitution where they are very pertinent, and possibly even eventually eliminated from the Code after the constitution has been ratified and become operative. The Commission has no finances, hence cannot be compelled to discharge certain duties that your draft would lay upon it. In submitting your report, you as a committee have become inactive and I do not wish to compel your reactivation as a body by requiring you to answer the questions that I raise, and possibly to amend your report as a consequence. For this reason I take the liberty of suggesting certain supplements and amendments to what you have proposed. I hope that they will meet with your individual approval, and of course, they are all subject to improvement in wording. They will serve as a basis for broadening discussion and phrasing of the final provisions at the next meeting of the Commission. They are set out in detail in the accompanying Addendum.

More than this, there are bound to be zoologists and there are some commissioners whose judgement does not accept as wise all of the innovations that you have proposed. In order that they may not be at the disadvantage of having no formulated proposals on the opposing side to lay before the next meeting, I am writing out some such that may be used in opposition to corresponding committee proposals, in case anyone wishes to champion them.

Yours respectfully,

J. CHESTER BRADLEY,

President of the International Commission
on Zoological Nomenclature

The above letter and the Addendum accompanying it have our approval.

A. DO AMARAL, Vice-President
N. D. RILEY, Hon. Secretary.

*See Secretary's note p. 357